

Remarks:

Applicants have read and considered the Office Action dated February 2, 2009 and the references cited therein. Claims 14, 70-71 and 73 have been amended. Claims 12-13 and 72 have been cancelled without prejudice or disclaimer. Claims 10, 21-61, 66-67 and 72 were previously cancelled. Claims 1-9, 11, 62-65, 68-71 and 73-81 are currently pending. Reconsideration is hereby requested.

Applicants gratefully acknowledge the allowance of claims 1-9, 62-65 and 81, as well as the indicated allowability of claim 72.

Independent claim 11 has been amended to incorporate the subject matter of dependent claims 12, 13 and 72, which have been cancelled without prejudice or disclaimer. Independent claim 73 has been amended to now recite subject matter recited in independent claim 1 and dependent claim 72. Claims 14, 70 and 71 have been amended to change their dependency.

Support for the amendments can be found throughout the specification and drawings as originally filed.

Rejection of Claims 11-20, 68-71 and 73-80 under 35 U.S.C. 102 or 103; and Allowable Subject Matter of Claim 72

Claims 11-20, 68-71 and 73-80 were rejected under 35 U.S.C. 102(b) as being anticipated by Faulstich or alternatively under 35 U.S.C. 103(a) as being obvious over Faulstich.

The Action also indicates that dependent claim 72 would be allowable if rewritten in independent form including the elements of its base claim and any intervening claims. Applicants thank the Examiner for the indication of allowable subject matter.

Independent claim 11 has been amended to incorporate the subject matter of dependent claim 72 and intervening dependent claims 12 and 13, which have been cancelled.

Accordingly, in view of the Examiner's remarks regarding the allowable subject matter of claim 72, it is respectfully submitted that claim 11 is allowable.

Each of claims 14-20 and 68-71 depends on claim 11 and thus incorporates by reference all of the elements of that base claim. It is therefore respectfully submitted that claims 14-20 and 68-71 are allowable.

Independent claim 73 has been amended to recite a tear stop having a portion for engaging the neck of the water bottle. Since this is allowable subject matter in view of the allowance of claim 1 and the allowability of claim 72, it is respectfully submitted that claim 73 is allowable.

Each of claims 74-80 depends on claim 73 and thus incorporates by reference all of the elements of that base claim. It is therefore respectfully submitted that claims 74-80 are allowable.

CONCLUSION

Allowance of claims 1-9, 62-65 and 81 by the Examiner is gratefully acknowledged. Claims 11, 14-20, 68-71 and 73-80 are believed to be allowable. Favorable reconsideration is requested. Allowance of the present patent application is earnestly solicited.

If the Examiner considers that claims of the present patent application are not allowable, for any reason, Applicants respectfully request the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims or in making constructive suggestions so

that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

A speedy and favorable action in the form of a Notice of Allowance is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicants' Representative at (612) 336-4728.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: _____

5/4/09

By: _____

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GAS/km